

Remarks

Reconsideration of this Application is respectfully requested. Applicants thank the Examiner for indicating the allowability of claim 6.

Upon entry of the foregoing amendment, claims 2-7, 13-14, 16, 18-21 and 23 are pending in the application, with claim 2 being the independent claim. Claims 8-12 have been cancelled. Claims 2-7, 13-14, 16, 18-21 and 23 are currently amended. Support for the amendments to claims 2-6 can be found throughout the specification, for example, in table 14 and table 16. Support for the amendment to claim 7 can be found throughout the specification, for example, on pages 9-14 of the specification. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

The rejection of claims 2-5, 13, 14 and 16 under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement is respectfully traversed. Applicants have amended claims 2-7, 13-14, 16, 18-21 and 23 to limit the scope of the variables A, D, G, Z and Het to the definitions suggested by the Examiner [Office Action at page 5]. Claims 8-12 have been cancelled. The rejection of claims 2-5, 13-14 and 16 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement has been rendered moot by amendment of the rejected claims.

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The above amendments to the claims have been made solely to expedite prosecution of the above-identified application and should not be construed as acquiescence to the Office's rejections. Withdrawal of the rejection is respectfully requested.

This application is a National Phase Entry Under 35 U.S.C. § 371 and, as such, PCT Rule 13 requiring unity of invention applies. Title 37 of the Code of Federal Regulations states:

- (b) An international or a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to one of the following combination of categories: . . .
- (3) A product, a process specially adapted for the manufacture of the said product, and a use of the said product; . . .

37 C.F.R. § 1.475(b)(3).

The following example is also provided in Chapter 10 of the International Search and Preliminary Examination Guidelines:

- Claim 1: A method of manufacturing chemical substance X.
- Claim 2: Substance X.
- Claim 3: The use of substance X as an insecticide.

Unity exists between claims 1, 2 and 3. The special technical feature common to all the claims is substance X.

paragraph 10.21, Example 1.

Claim 7, currently amended, is directed to methods of manufacturing chemical substances claimed in claims 2-6. Therefore unity exists between claims

2-6 and claim 7. The special technical feature common to all the claims is a compound of formula I. Rejoinder of claim 7 with claims 2-6 is respectfully requested.

Claims 18-19 are drawn to compositions comprising a compound of formula (I) according to claim 2. Claims 21 and 23 are directed to methods of using the composition of claim 18 for controlling unwanted vegetation. Applicants submit that where the compound claims are held patentable, a composition comprising the compounds, and use thereof, should also be found patentable. Upon allowance of the pending claims, applicants respectfully request rejoinder of all non-cancelled claims.

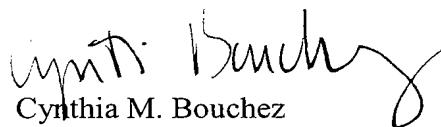
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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